

Marine Corps Chief Warns Of Many More Prosecutions

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WASHINGTON, April 17 — The investigation of security breaches by Marine guards at American embassies could lead to "a far greater number" of prosecutions than have begun so far, including charges against civilian embassy officers and employees, according to a memorandum endorsed last week by the Marine Corps Commandant, Gen. Paul X. Kelley.

The memorandum, endorsed on April 10, said the Marines might have to devote as many as 40 judge advocates, as military lawyers are called, to handle the prosecution and defense of active duty marines who might face charges. The cases might take a year to prosecute, General Kelley said in a cover letter to the memorandum.

The memorandum makes clear that investigators, who are looking into a variety of breaches of security regulations at diplomatic posts not only in the Soviet Union but in the Warsaw Pact nations and elsewhere, have not yet pursued every lead in the case.

"We simply don't know how the investigation will develop," said the memorandum, which suggested that additional trials in military and civilian courts could be expected.

Offenses Weren't Specified

The memorandum did not specify the kind of offenses that might come to trial in additional cases.

The memorandum, disclosed by Tom Bearden, a reporter for the PBS program "MacNeil/Lehrer NewsHour," during a Pentagon news conference by General Kelley today, confirmed reports that the various Federal agencies involved in the investigations and prosecutions have not been working cooperatively. At the news conference, General Kelley tried to minimize the agencies' differences.

The memorandum, written by the acting director of the Marines' Judge Advocate Division, which handles court-martial cases, was passed on to the Navy Secretary and other officials with General Kelley's concurrence.

It left open questions that have divided the civilian and military legal authorities involved in the spreading espionage cases. Among those questions is whether to grant immunity to one of the marines who has been charged, Corp. Arnold Bracy, to aid the prosecution of another one, Sgt. Clayton J. Lonetree.

More Disclosures Anticipated

The two are charged with espionage for reportedly allowing Soviet agents to enter the American Embassy in Moscow while they stood guard during 1985 and 1986. Another marine, Sgt. John J. Weirick, has been arrested on suspicion of espionage in Leningrad in 1981 and 1982, and a fourth, Staff Sgt. Robert

S. Stufflebeam, has been charged with violating security regulations by meeting secretly with Soviet women.

"Given the rapidly unfolding events and disturbing revelations of recent days, we can anticipate that Naval Security Investigative Command efforts will disclose additional suspects," said the memorandum, which was distributed by the PBS program after the news conference at the Pentagon.

General Kelley, who had summoned reporters to hear a defense of the integrity of the Marine Corps in view of the scandal over security at diplomatic missions guarded by the Marines, instead had to defend the handling of the case, which is being tried by the military.

He insisted that the disarray that has plagued prosecutors has now been eliminated and said cases against active-duty marines would not be handed over to the Justice Department for trial in civilian courts.

Interagency Fighting Reported

The memorandum noted that any civilians and retired marines implicated in the case would have to be tried by civilian courts.

When he was first asked about news reports of disarray in the prosecution, General Kelley said, "I have not heard of any interagency fighting."

But he was immediately challenged by the reporter, who waved a document before television cameras, saying dramatically, "I have a memorandum here, sir."

The memorandum complained that the National Security Agency, the Central Intelligence Agency and the State Department were not fully cooperating in the investigation and prosecution of the case. It said that the C.I.A. had attempted an "end run" around the Marines' jurisdiction. The Marines' effort to prosecute the case was "not taken seriously," according to the memorandum.

The document did not elaborate on what the C.I.A. had done. Officials have said that intelligence officers would rather grant immunity to the marines charged with espionage in order to learn more about the damage that might have been done to national security, instead of prosecute them.

"We still are not receiving the full cooperation of the C.I.A.," the memorandum said.

Flustered, the general admitted having signed the memorandum on April 10. It recommended the establishment of a joint task force including the Defense and Justice Departments to speed the prosecution of the case. That recommendation is still being reviewed, a Pentagon spokesman, Fred Hoffman, later told reporters.